

P L A N N I N G C O M M I S S I O N

ACTION MINUTES

TUESDAY, MARCH 20, 2001

Chair Parsons called the meeting to order at 7:04 p.m. at the Twin Pines Senior and Community Center.

ROLL CALL:

Present, Commissioners: Chair Parsons, Vice Chair Mathewson-arrived 7:07, Gibson, Petersen, Torre-arrived 7:09, Wiecha, Purcell

Present, Staff: Development Director Ewing, Principal Planner de Melo, Senior Planner Livingstone, Associate Planner Ouse, Contract Planner Haag, City Attorney Savaree, Recording Secretary Flores

AGENDA STUDY SESSION: NONE

AGENDA AMENDMENTS: NONE

COMMUNITY FORUM (Public Comments):

City Council Member Dave Warden thanked all of the Planning Commissioners for their long hours of service and invited all Planning Commission members to consider running for Council as Election is coming up shortly.

Denny Lawhern, 408 Hiller, from the Sterling Downs Homeowners Association spoke in regards to the previous Planning Commission meeting held on March 7, 2001 of which he did not attend, requested more tolerance from the Planning Commission for first time speakers.

CONSENT CALENDAR:

A. Action Minutes of February 6, 2001

MOTION: By C Wiecha, second by C Petersen, to approve the Action Minutes of February 6, 2001.

Ayes: Gibson, Petersen, Purcell, Torre, Wiecha, Mathewson, Parsons

B. Proposed ARCO Station Remodel - 470 Hiller Street. Revised Conditions of Approval consistent with action taken by the Planning Commission on March 7, 2001.

Denny Lawhern asked for staff to explain the procedure behind why the revised Conditions were now appearing on the Consent Calendar. CDD Ewing explained that when the Commission reviewed the staff's recommendation and made additional conditions, staff wanted to bring back revised Conditions to make sure that the Commission agreed with the wording. This happens often times when the Commission goes a different direction than the staff recommended and this process is simply to make sure that the Commission's decision is captured correctly. Chair Parsons mentioned that the last time a vote was taken, there was a 3-2 vote. However, tonight, more Commissioners were present and since they had reviewed the Staff Reports, they were allowed to vote as well. CDD Ewing agreed that as long as the Commissioners had reviewed the material adequately, they may vote. PP de Melo said that today, staff received a revised Site

Plan for the building and it reflected the eight foot buffer in addition to the twelve foot buffer that was previously proposed for the landscaping.

MOTION: By C Wiecha, second by C Gibson, for the revised Conditions of Approval for the proposed ARCO remodel at 470 Hiller Street.

Ayes: Gibson, Wiecha, Parsons, Torre
Noes: Petersen, Mathewson

Recuse: Purcell

STUDY SESSION: NONE

PUBLIC HEARINGS:

A. Continued Public Hearing - 1601 Courtland Road/495 Shelford Avenue: To consider a Tentative Parcel Map and Single Family Design Review to create two parcels on a one-acre site and construct a new two-story 3,498 square foot single family home on one of the two lots. The proposed minor subdivision would create a 0.69-acre parcel containing an existing single family residence. The proposed new detached single family dwelling would be located on the smaller 0.31-acre parcel. (Appl. No. 99-1007); APN: 045-212-010; Zoned R1-A; CEQA Status: Mitigated Negative Declaration; Applicant: Fred Herring; Owner: Michael Briggs

CP Haag summarized the Staff Report and informed the Commission that the applicant was present.

Applicant Fred Herring said that it was his impression at the end of the last meeting that the Commission was concerned about the Geotechnical aspect of the project. David Jones, Licensed Civil Engineer for the project wanted to give a brief summary of the Geotechnical issues at the sight. He showed a slide show to the Commission. He discussed the landslide history at the site. He then addressed some of the concerns of the speakers from the last meeting. He said that speaker Jennifer Thompson asked about the blue tarp. He said that he did not know why it was there or who installed but said that it was an eyesore and should be removed. In response to concerns about road blockage, he said he could empathize. He said that he too would be concerned if it was in his neighborhood. However, he believed that they had come up with a foundation design that would prevent future sliding. He addressed John Richy's question about the drainpipe. He said that he looked into it and it could be covered up. He said that if nothing were done to the area, it would slide again. He mentioned that he has not discussed the residence to be built on the land in much detail because he believed that a strong foundation was necessary before anything else to could happen on the parcel.

C Wiecha asked if the tiebacks would end up being under City property and on the City Street of Shelford. David Jones said that it was a valid question, but he did not know. He did mention that it was a design constraint to not encroach into public right-of-way. He said that this constraint would be considered in the final design of the project. C Wiecha said that his cross-section showed that it extended well under City property onto a City street. She said that the tieback obviously had to be embedded in bedrock. She said that she did not believe that the tieback could happen without encroaching on City property. Mr. Jones said that he did not know where the property line was located. He said that the goal was to spread the load out wherever possible. Mr. Herring offered a clarification. He said that the tieback would not be from the extreme top of the wall but from a portion down the wall so that the bending in the end member is not extreme. He said that the question of reaching the public right-of-way would be on the uphill wall of the driveway, which was roughly twenty-five feet away from it. He said that if the tieback were in the middle at about a sixty-degree angle, they could be a long way in the bedrock before they reached the public right-of-way. His fear would be of hitting a utility line.

C Wiecha said her concern was not about utilities but about the encroachment on public right-of-way to provide additional support for the project's retaining wall. She had a question for Jones about large drill rigs accessing the construction of the large piles on the slope. Mr. Jones pointed out that they drilled into the bedrock without any difficulty, with a large drilling machine. Mr. Herring said that the work would be done from above not below. He said that a portion of the driveway needed to come down in order to allow the equipment to allow the piece of equipment that was actually doing the drilling to be let down the hill and

restrained by the piece that stayed above. He said it was an astonishing process to watch on such a steep hill for tieback foundation. C Wiecha wondered how much grading would be done during construction to create the benches for the piles and other elements of the building. Mr. Herring said that there would have to be shallow benches cut. He said that there would be a reasonably small amount of grading.

Chair Parsons guessed that if there was going to be a bench then heavy equipment couldn't be put onto it. He said that this was another potential problem in the process of building the building. David Jones said the hill was considerably stronger in a dry condition. He did not have the information to tell the Commission how strong the material was.

C Purcell asked how many benches would be needed. She also asked how much cut would be used. Mr. Herring answered that it would be necessary for five but that they would be shallow. He said that the road built was going to be there for some time.

C Wiecha said that she has not seen the recommendation for pin piers or the deep piles that were supposed to be supporting the landslide material. She said that it was the portion embedded in bedrock that was going to provide the resistance to lateral movement of the soils and considering that it was a sixteen to twenty-four inch pile, she was not sure that she agreed with Herring's assertion that drilling the rock was going to be an easy process. Mr. Jones said that the bedrock in the area was weak. He was unsure how deep the drills were going to go. He said that he would be more than happy to come back and present a final design provided that the project were approved. C Wiecha said that if the bedrock was weak, then the piles would have to be rather substantial to provide the adequate level of resistance to landslide material. Mr. Jones clarified that it was stronger than soil.

C Purcell said that she didn't think that the analogies given were appropriate because there were a lot of questions that the Commission related to their approval of a design. She said that she counted eighty-three dots, which she knew was not necessarily the number of piles. However, there would be the piles, along with the five shallow benches and a drilling rig. She wanted to know how long it would take to construct the piles and how much consequential noise there would be in the residential neighborhood. Mr. Herring said that he thought that the drilling would take about three or four days depending on how hard the bedrock was. He said that if they went ten feet deep, they would drill twenty piers per day and to reach eighty, that would take four days of drilling.

C Wiecha wanted to confirm that given the nature of the material that they were going to go out and drill all the piers and then install all of the reinforcing and place the concrete. Mr. Herring said that there was a proper sequence to the process.

C Purcell asked if Mr. Herring's team was financially prepared for a situation in which it wasn't ten feet to bedrock. Mr. Herring said this was not a place where he got to choose how deep to drill. He said that it was set how deep he will go.

Chair Parsons said that it was incredible to him that Mr. Herring said that the whole process could be done in three days, considering all that there would be to get done. He asked to confirm Mr. Jones' profession if he was not a geologist. Mr. Jones stated that he has been a licensed civil engineer in California for fourteen years and listed some of his qualifications.

C Torre mentioned that since the bedrock was more firm, she felt that they were talking about sandstone. Jones said that they were creating four retaining walls.

C Gibson asked for a clarification of the scale that was drawn. Mr. Jones believed the scale to be accurate. He said that it was a scale of one to ten. He felt that the slope was more likely one to one. He said that it was one horizontal to one-half vertical but he was not certain that the scale was an accurate depiction. He said that it was his report and he will take responsibility for the drawing, which he believed to be accurate.

Open Public Hearing

Resident John Richy, 1601 Vine Street, said that at the last meeting he raised some questions concerning water run off and mentioned a drainpipe. He said that he did not bring up the drain pipe because of the

appearance factor, but the fact that it was put in to run water off of the driveway and prevent the water from undermining the top soil and running it all forward. He said that he was unsure what the plan was to collect all the water. He said that the top soil looked about three or four feet deep and he wanted to know what was going to happen to that soil through all of the drilling, excavating, and platforming. He believed that there would be problems if that soil was dumped down with the other soil from the previous construction. He was not convinced that Mr. Jones' numbers were accurate from the pictures he had of the last slide. He said that at some point, that top soil was going to slide down. His main concern was to prevent more slides.

Jennifer Thompson, 31-year resident, at 38 Vine St. gave an overview of the history of slides in that area and stated her disapproval of the project. She said that the area was unsafe and this subdivision would create more problems. In 1999, the area was developed. She feared that there would be another loss, as there was in 1970.

Alan Carlomagno, 1615 Vine Street, expressed questions about the earth movement related to this project. He said that his house was located down at the bottom so he has watched that slope. He mentioned that the existing retaining wall was moving. The blue tarp mentioned earlier was to protect the bottom of that retaining wall because it has dropped about seventeen feet. He fears how this project could negatively affect his property. He was unsatisfied that the last retaining wall would be nine feet.

MOTION: By C Wiecha, second by C Mathewson, to close the Public Hearing.

Passed 7-0.

Chair Parsons said that there were two items to be dealt with. The first was to approve a Mitigated Negative Mitigated Declaration, and the second was a Tentative Parcel Map. He said to begin with discussion about the Parcel Map.

The City's Geologist Ted Saeyen Sayerres from Cotton Shires discussed his effort in reviewing the laid out proposals and concerns. Mr. Saeyen Sayers explained the process of this difficult site. He said that after concurring with a Geotechnical consultant that there were adequate design parameters for this project. He believed this gave a good basis to go ahead into design of a project. However, he had not seen a design plan that took the specific design parameters and translates them into a buildable project, but they have agreed on the physical forces that were to be used going into the next step of actual construction plans.

C Wiecha asked about the fissure and wanted to know if any assessing has been done on any feature such as that on the property. Mr. Saeyen Sayers said that the lineation referred to earlier was actually slightly west of the property. His understanding was that it was actually a lineation within the Franciscan formation, a bedrock type made up of a number of different rock units. He felt that this was related to bedrock properties and not necessarily the fifteen-foot deep landsliding seen on this property. C Wiecha asked if he was certain that there were no deep-seated landslides at the site. Mr. Saeyen Sayers said that they saw movement down to fifteen feet or more and maybe up to seventeen feet or so. He said that this was the soil material moving over the top of the bedrock. He saw no evidence of wholesale landsliding in the sandstone bedrock in the area.

C Wiecha had questions about the cross sections prepared by Jones. She wanted to know if the presented design concepts allowed the surface soils to continue to move downward as through rainy piers where top soil erosion could be anticipated to continue even after the project were constructed. Mr. Saeyen Sayers said that the retaining wall was a catch-all wall that basically was not retaining the material at the bottom however he was not anticipating failure of soils above that lower line of house foundation. There was a wedge of materials that did not have much to support it and it could move if it got wet enough but the nine-foot wall was expected to catch the debris if it mobilized.

C Wiecha asked about how the landscaping and irrigation that would go along this property would affect the long-term slope stability and impact the parameters that have been agreed to at this point. Mr. Saeyen Sayers said that it was his understanding that it would be beneficial to avoid excessive irrigation that would lead to saturated soils around the house. He would assume that they would try to use a drip system, where you are not increasing the soil moisture content because water decreased the strength of the glaze. C Wiecha clarified that she wanted to know whether if this project were to move forward and the new owner

wanted to install extensive landscaping, would that be something that could feasibly be done. Mr. Saeyen Sayers said that he himself did not have an answer to that question. C Wiecha wanted to confirm that irrigation water would have a negative impact on the topsoil so the Commission was looking at an alternative to the traditional concept of landscaping. Mr. Saeyen Sayers said that he would assume that would be appropriate at this site in terms of strict irrigation versus sprinklering system that would spray the entire slope. C Wiecha asked about the possibility of tree planting. Mr. Saeyen Sayers said he would turn to the consultants for the tree issue.

C Gibson asked whether the design modes of the project reflected earthquake considerations. Mr. Saeyen Sayers believed that there had been consideration of the earthquake design pressures on the walls. He said that there were some extremely high active pressures on these walls. In terms of seismic loading, he believed that it had been looked at but possibly a specific parameter could be provided.

C Wiecha asked what normal pressure would be on a wall like this. Mr. Saeyen Sayers said about sixty-five to seventy pounds per square inch, but he had been using pressures of about one hundred and nine. He said that there would be some very high loads that would have to be addressed by these tieback elements. C Wiecha mentioned her concern over tiebacks and asked if he had looked at where the tiebacks would have to be placed and the length of the tiebacks, specifically in reference to tiebacks on City property. Mr. Saeyen Sayers said that the discussion had not come up during the Geotechnical discussions of the property so he did not know where it would be located and whether it would need to enter the right-of-way.

C Mathewson said that aside from the current discussion on landsliding and potential Geotechnical problems, he said that some aspects of this project appeared to not coincide with the General Plan. He read a section from the General Plan.

C Purcell agreed with C Mathewson. She was really concerned about the noise of drilling as well as what had already been addressed. She did not feel that it was acceptable to the neighborhood.

C Torre also agreed with C Mathewson. One of the issues she looked at was the comparability of the property. It was a lot larger than the other properties in the vicinity, and although that was grounds for permitting a subdivision, she said that when just looking at nearby lots and not even how much slope there is, it was misleading. She said that the General Plan says that the City should be building with only certain percentage slopes. Even though lots have been approved with slopes greater than the maximum, she said that the area in which the house was being proposed usually was not the steepest at part of the property. being built on. However, in this case, it would be because there was nowhere on this site with a slope less than thirty percent.

C Petersen concurred with C Mathewson, as did C Gibson. C Gibson said that he has visited the site. He said that the house would be built on thirty-six percent slope. He thanked staff for presenting the issues extensively.

C Wiecha said her concern about the way that the project was being brought forward was that it was being presented as a repair to existing landslide, by making the proposed subdivision and building construction sound like a good idea with respect to stabilizing the slope. However, she said that the fact remained that the slope did have stability problems, and she felt that it was for the property owner to address those problems. She was not convinced at all that subdividing the property and building another house with this extensive system of foundations was in order to stabilize the slope. She felt that another structure was overall not a positive aspect. She was unable to make the necessary findings.

Chair Parsons agreed with C Wiecha. He thought that the intent of the General Plan when subdivisions were discussed was that just because a property was large does not mean that it should be subdivided. He did not think that it makes sense to put a house on this property. He was uncomfortable with all of the "Ifs" and "I thinks" in the discussions of this project. He thought that this would be a major disruption to the neighborhood. He wanted the General Plan to be adhered to.

MOTION: By C Mathewson, second by C Petersen, to deny the Tentative Parcel Map and Single Family Design Review at 1601 Courtland Road.

CA Savaree wanted to add some clarification on the findings that will need to be made, as was the staff's practice. She said that after a hearing of this sort that the staff will bring back to the Commission a Resolution at the next meeting to be acted on. She believed the Commission was denying the project because it failed to comply with the General Plan policies as listed out of the Staff Report. She wanted to make sure that she understood that this was the direction that the Commission was giving to the staff so that the staff would bring the Resolution back as part of the Consent Calendar if the motion passes. Chair Parsons said that this was the intention. He said that the Commission couldn't find make the findings in the Staff Report based on discussion and the comments.

Ayes: Gibson, Torre, Wiecha, Purcell, Petersen, Mathewson, Parsons
Chair Parsons announced that this decision can be appealed to City Council within ten days.

B. Public Hearing - 780 El Camino Real - Recommended for Continuance to April 3, 2001: To consider a Conditional Use Permit, Grading Plan, and Design Review to construct a 3,100 square foot retail commercial building on a triangularly-shaped 4,793 square foot lot located at the corner of El Camino Real and Middle Road. The proposed building includes landscaping improvements and 11 on-site parking spaces, which are accessed from a two-way driveway entrance on Middle Road. (Appl. No. 99-1122); APN: 044-222-01; Zoned: C-3 (Service Commercial); CEQA Status: Exempt; Applicant/Owner: Frank Papadopolous

MOTION: By C Wiecha, second by C Purcell, to continue the Public Hearing of 780 El Camino Real to the April 3, 2001 meeting.

Ayes: Gibson, Torre, Wiecha, Purcell, Petersen, Mathewson, Parsons

C. Public Hearing- 1112 North Road: To consider a conceptual development plan to subdivide a 29,922 square foot lot into three separate parcels. The proposal includes the demolition of the existing home and the construction of three new homes, one on each parcel. The proposed homes would all be two stories in height with five bedrooms. One of the proposed homes would be approximately 3,000 square feet in size including the two-car garage. The other two proposed homes would be approximately 4,200 square in size including the three-car garage. (Appl. No. 00-1031); APN: 044-101-120, Zoning R-1B Single Family Residential; CEQA Status: Mitigated Negative Declaration; Applicant: Wayne Batavia; Owner: Alan Siegel

SP Livingstone summarized the Staff Report and mentioned that the applicant had provided a very detailed set of drawings. He said that the applicant had met with the neighbors and some of the concerns included the view of the homes on North Court, located directly above the proposed project. The applicant had requested a private road instead of the standard City dedicated road, which would allow the homes to be pushed further up the hill and cause less blockage of the view. The applicant was proposing to move eight protected trees and has worked with the City Arborist. More parking than was typically required was being installed with full driveways. The project was subject to Environmental Review, and although the proposed project could have significant affect on the environment, it adheres to mitigation measures. SP Livingstone informed the Commission that the applicant was present.

C Gibson questioned the fire provisions as they appeared to be "cut and pasted" together. SP Livingstone said that staff has a standard set of conditions, which the inspectors check off as well as an area for additional comments. The specifics would be dealt with at the Building Permit stage as long as the homes meet all of the basic requirements.

C Petersen referred to page 5 in the Staff Report under Conceptual Plans, Findings, and Evaluations. Her question was about the zoning of the project. SP Livingstone said that this finding allows the applicant some flexibility. He said to look at the project as an entire concept.

C Purcell said that she had the same questions as C Petersen. She wondered if the project couldn't be done in another way that did not have to be a Planned Development. She asked staff to refresh her memory on the Coronet project and whether it was a Planned Development. PP de Melo said that it was not a Planned Development. Coronet was more of a setback issue. C Purcell said that she confused the two projects because of the driveway/road issue. She thought that there could be a non-standard street that would be a driveway for the three homes without having to do the Planned Development. SP Livingstone said that staff

actually did recommend to the applicant the Planned Development, but the applicant did not originally apply for one. It would extend the process for the applicant, but the applicant was willing to do that.

C Petersen referred to page 2 of the Staff Report and the California Environment Quality Act and the environmental impact assessment. SP Livingstone said that there were short-term significant effects when there was construction, such as noise and dust. He said these are standard effects and nothing exceptional.

Chair Parsons asked how much grading would be involved in this project. SP Livingstone quoted the figure of 1,970 cubic yards of cut from the grading plan. He confirmed that it would be six hundred plus per parcel.

C Petersen asked about consistency and about other applicable policies. SP Livingstone said that with larger projects, staff will consider General Plan policies; sometimes with smaller Design Review projects, staff will refrain. He felt that this particular policy was important because it discusses supplying a variety of homes to the area.

Chair Parsons stated for the record that 2,200 cubic yards of cut and 230 cubic yards of fill, so there was actually a larger number. He wanted to confirm that for a three-car garage, a tandem garage with one car parked behind the other did not qualify. SP Livingstone said that although only a two-car garage was required, since the applicant was building larger homes, three-car garages were deemed better. Chair Parsons asked if the garage could also be turned into a room making it a six-bedroom home. SP Livingstone said that a three-car garage could be converted into a bedroom. Chair Parsons said that by definitions, however, it was only a two-car garage even though three cars can fit into it. Right now, the applicant was building a two-car garage with additional storage space.

C Mathewson believed that it had been the Commission's policy recently to fit the house to the slope. SP Livingstone said that this was a compromise. The applicant was trying to address the neighbor's issue and do everything possible to keep the homes as low as possible as to not affect their views.

Applicant Wayne Batavia made a presentation for himself and Silver Wing Development. He said that he completed six homes last year in Belmont on Oxford Court. He explained that the proposed houses were bigger because the lots were bigger. He understood that there was a demand in the City for larger families. He said that the houses were further down on the lot to not impact the neighbors' view. This would also decrease the amount of grading. He pointed out that this project was not impacting the views of neighbors and actually in some cases, they were improving upon the views and only in one case were they minimally affecting the view. The second issue he addressed was drainage and the way in which the water will flow. He felt that it would benefit the neighborhood with the additions they were making. He reviewed the FAR for each parcel as 33%, 44%, and 39% respectively. He said that throughout this process, they have considered grading, views, and trees.

C Torre said that when the applicant originally started this project, it was in the R-1B zone but it has changed due to the recommendation of staff. She asked if there would have been enough square footage for four lots. Mr. Batavia showed her on the parcel map that it was not as appropriate. C Torre asked if he had just taken off the garages when calculating usage square footage. Mr. Batavia said that was correct.

Open Public Hearing

Beatrice Struthers was a 55-year resident at 1150 North Road, which was right across the street from this property. She said that she has had houses going up all around her yet she was perfectly happy with that. She saw it has having been a horrible eyesore for several years and this would be an improvement. She was excited for it to come together.

Rick Gross, 1100 North Road, lived down the street from the proposed project. He said that this was the first time he has seen this plan, which was different from the last one he saw. Looking at the plans, he thought that the two houses to the right looked like they had been moved towards him. Currently there were rose trees along the property line and he would be interested to see how they would be impacted. He was curious about how the trees would be taken down considering that the trees are part of the neighborhood. He would like to understand the grading better. He thought that in order to be lowered, the houses would need a retaining wall and he had not seen a plan for that yet. His wife was concerned about how these monstrous houses would affect the area and maybe two houses would be preferred to three. The project's Civil

Engineer said that there was a low spot and to bring the road up to have the water drain back out to the street, he would be creating a three-foot wall.

Tom Diridon said that he knew Alan Siegel very well, and he was on many occasions asked by City and Fire Department to clean the lot up because it was a fire hazard, as was most of his house. There was no question that by improving this lot, it would improve the neighborhood. He said that by making a private street, it lessened the likelihood of Belmont having to improve another road. It would also act as a nice buffer between the apartment houses of San Mateo and the single-family dwellings of Belmont. He said that if the Commissioners looked at the homes on Oxford Court, they would see that the applicant builds very fine product, something that would be an asset to Belmont. He felt that they were being very generous with the lot sizes, and they had worked very hard to maintain the view of the neighbors. He said that they were not forced to do less grading because of their zone, but instead were simply choosing to do so. They should be commended for doing a good job. He stated that as a past President of the Chamber of Commerce, having three more families who could afford homes of that magnitude would be a wonderful thing.

Susie White, North Court, said that her view would be negatively affected. She already had a slight blockage of her view due to the existing house, and she was unsettled that there would now be three homes blocking her view. She did not believe that the applicant was doing her a favor in helping with her view. She stated that she was not in favor of this project.

Bob Hanley was the owner of the property adjacent to this project. He saw this development as a positive improvement to the entire neighborhood. It has been an eye-soar and falling apart for a long time. It was overgrown with weeds and trees that have not been taken care of for many years. Even though he had been fixing up his property, he felt that the property next door dragged it down. These larger homes were a good influence because there were very few large homes available in Belmont.

Kathleen Hanley was concerned about the trees. She would hate to see the trees all go. She said that when she steps out on her porch, all she could see was the eye-sore next door.

Barbara Green said that when she first moved to her home, she had a view of the Bay. Now, the large pine trees have taken her view away. She believed that some of them were worth keeping but she would like to see some thinned out or removed.

Lisa Gross, 1100 North Road, said that overall she agreed that this was a good idea for the neighborhood. She said that she had a small house on a large lot and enjoyed the quiet and privacy. Her concern was that with having the driveway present for fire purposes, that there could not be any vegetation grown along that street. She said that her view would include a fence, driveway, and large homes, which she did not anticipate. She had assumed that they would be about three-bedroom, two-bath. She felt that a 5,000 square foot house was overwhelming. She had concerns about the trees and squirrels in the area. She did not want to feel cramped in by all of this addition.

Valentina Delemont said that she was a neighbor to the lot. She said that that this house may negatively effect her view. She was not asking for denial but for some changes.

MOTION: By C Mathewson, second by C Purcell, to close the Public Hearing.

Passed 7-0.

Chair Parsons wanted to move the discussion to the topic of the subdivision rather than the Mitigated Negative Declaration. If the project came back for a Design Review or a Grading Permit, there could be changes later on.

C Torre said that the issues of the square footage of the houses would be taken up at a later meeting. Chair Parsons agreed yet mentioned that staff had asked the Commission to express any related concerns. He said that they would vote on this issue of approving a three-lot subdivision. C Torre asked staff about the Setback/Variance issues. She asked if it was possible to have three lots subdivision within R-1B zoning without seeking variances. SP Livingstone said that he would have to see the plan for something like that. CDD Ewing pointed to the Staff Report for some comparison about the statistics of the lots and the

requirements of R-1B zoning. C Petersen asked for more explanation about CDD Ewing's response. CDD Ewing explained that if the applicant came in with a project for two houses, they would need a variance to build large homes that exceeded the 3,500 square foot maximum.

C Torre said she had wondered if the applicant was trying to get PD zoning in order to get different square footage, but now she knew that it was actually suggested by staff. She said that the houses were attractive, but the issue was the square footage. She could be comfortable with the three-lot subdivision but was uncomfortable with the size of the houses.

C Mathewson said that he would like to see some improvement of the property. He was more in favor of a two-lot subdivision with larger houses. He saw the extra parking spot as a possible sixth bedroom.

C Purcell said that she agreed with the previously mentioned comments. She wanted to see the amount of asphalt lessened and the amount of green maximized. She was in favor of the private roadway. It bothered her that even though staff suggested it, PD was designed for larger developments. She felt as though this suggestion for PD was trying to work around some of the other issues in terms of variances. She was not against variances but feels that they should be honestly addressed. She felt that the houses were too big for the lot, particularly parcel C. She said that the Oxford project was very nice but a lot of birds lost their homes through the process. She would like to see plans made for the other existing non-human inhabitants. She liked the color schemes and the suggestion to use recycled materials. She felt that the grading was an issue. She agreed that they were flat lot houses yet this was not necessarily a flat lot. Overall, the PD zoning was a problem.

C Petersen said that it concerned her that several of the people who spoke at this meeting mentioned that the houses were now in a different place than before. She understood that they may be slightly taken back by that issue. In addressing the Tentative Parcel Map, the houses were too big for the lots.

C Gibson said that there was a lot to like. He felt that three lots were reasonable but two lots would be nice. He wanted like to see 3,500 instead of 4,200 square feet in lot sizes. He did like the configuration of the area. He felt that a landscape buffer along the road would be a good addition. He had a concern about grading and felt that it needed to be adjusted.

C Wiecha thought that it was a good development. She would look for a green buffer between adjacent, down-slope properties and the driveway access. She too was concerned about the grading. Her secondary concern was the 4,200 square foot floor area on parcels B and C, although she was not certain what square footage she would be comfortable with. She was not committed to any number however. She did not think that the Commission was looking at any significant environmental impacts other than the Geotechnical. The Geotechnical Report never addressed slope stability. It was a relatively mild slope and that caused her some concern. Before undertaking this much excavation of 2,200 cubic yards on this property, it needed to be addressed. She noticed that the back of the houses had a lot of grading.

Chair Parsons said that he could live with the three-lot subdivision. He felt that the PD made the Commission's job easier. He felt that all of the outlined issues had been addressed. He would prefer two lots but then the houses should be bigger and bigger houses would be out of character. He thought that the grading needed to be reduced considerably and provide a buffer.

MOTION: By C Gibson, second by C Torre, to recommend to the City Council, the Resolution for a Tentative Parcel Map for construction of three single-family residential homes at 1112 North Road.

Ayes: Gibson, Torre, Wiecha, Purcell, Petersen, Mathewson, Parsons

MOTION: By C Wiecha, second by C Torre, to recommend to the City Council, the Resolution for a Mitigated Negative Declaration of Environmental Significance for a three unit single family residential development at 1112 North Road, with the added condition that the Geotechnical Consultant provide an addendum to his report addressing site stability.

Ayes: Gibson, Torre, Wiecha, Purcell, Petersen, Mathewson, Parsons

MOTION: By C Wiecha, second by C Torre, to recommend to the City Council, the Resolution for a Conceptual Development Plan for a three-unit single family residential development at 1112 North Road, with particular respect to a reduced amount of grading and the floor area of the homes, the buffer zone near the access to the driveways in the future Detailed Development Plan.

CDD Ewing explained that approving the Conceptual Development Plan would include approving that the PD zone be applied to this property, the Tentative Parcel Map be approved for three lots, and an overall endorsement of the project. This was an opportunity to give directions for the Detailed Development Plan that would later come back. He felt that this was done through the discussion of grading, buffer, and tree preservation.

Ayes: Gibson, Torre, Wiecha, Purcell, Petersen, Mathewson, Parsons

Chair Parsons announced that this decision can be appealed to City Council within ten days. CDD Ewing added that it would go to Council without an appeal, as part of the PD process.

Chair Parsons announced a break at 10:05pm, and the meeting resumed at 10:15pm.

D. Public Hearing - 1027 Tahoe Drive: To consider a Single Family Design Review to remodel and enlarge the existing kitchen and family room and add a work/storage space off the existing garage. A 383 square foot potting shed will be removed. The remodel will add 533 square feet to the existing residence for a total of 2,593 square feet in a zoning district that permits 3,500 square feet. (Appl. No. 01-0010); APN: 043-134-140; CEQA Status: Exempt; Applicant/Owner: Elizabeth and David Bauer.

PP de Melo summarized the Staff Report. At one point, the City owned this property but it has since been merged into the property of David Bauer.

C Purcell asked what the actual footage of the sideyard setback would be with the addition to the garage. CDD Ewing answered that it was seven feet.

Applicant David Bauer said that there would be no grading, platforms or benches built. He added that there would be no trees removed.

C Torre asked about the outside back patio and the electrical wiring. Mr. Bauer answered that it was the remnants of an electrical system that went to the shed that was going to be removed. C Torre then asked if there were any intentions to do anything with the landscaping in the backyard. Mr. Bauer said that he would like to add on a deck, if affordable.

C Purcell observed that on the north side of the house, where the addition was, it looked as though there was just one single door leading out into the yard. Mr. Bauer said that his wife had come up with an idea to put a French door in that spot, which would be a wider door with a window to give more access.

Open Public Hearing

MOTION: By C Purcell, second by C Mathewson, to close the Public Hearing.

Passed 7-0.

MOTION: By C Mathewson, second by C Petersen, to approve the Resolution for Single-Family Design Review at 1027 Tahoe Drive.

Ayes: Gibson, Torre, Wiecha, Purcell, Petersen, Mathewson, Parsons

Chair Parsons announced that this decision can be appealed to City Council within ten days.

E. Public Hearing - 1647 Ralston Avenue: To consider a Single Family Design Review to expand an existing single-family residence, including an addition of a master suite, family room and new entry feature. The addition of 1,561 square feet to the existing 2,994 square foot single-story residence will result in a total of 4,495 square feet in a zoning district that permits 4,500 square feet. (Appl. No. 00-0044); APN: 045-090-540, Zoned R-1H; CEQA Status: Exempt; Applicant: Mike Ullrich; Owner: Konrad Von Emster

AP Ouse summarized the Staff Report and recommended approval.

C Torre asked which areas were going to be removed. AP Ouse answered that the chicken coop, the gazebo, and a guest house/studio would all be removed. They were going to be removed anyway, which was why they are not shown on the plans. Only the guesthouse would be in the way of the expansion. C Torre felt that this is a large property and that the FAR was low. She added that she would not have a problem with the applicant keeping the gazebo. She said that she did not see the necessity of taking down the gazebo to meet the 4,500 square feet maximum. AP Ouse responded that the structures were in poor condition and it was the applicant's decision to remove them.

Applicant Mike Ullrich, the contractor for this project, explained that the chicken coop was actually more of a doghouse. He said that the intention had been to remove it, along with the gazebo.

C Gibson asked what color the house was going to be. Mr. Ullrich answered it would be a tan color.

C Purcell asked specifics about the wine cellar. She asked about the ground water level because the cellar would be near the creek. Mr. Ullrich said that the actual depth of the wine cellar was actually less than four feet into the ground. The house was currently elevated more than three and a half feet above ground level at that particular juncture and the lot was sloping away. He said that it was actually not as big as it looked on the plans. C Purcell then asked why there was so much grading for the wine cellar and adjacent stairway. Mr. Ullrich confirmed that it was only one hundred cubic yards. C Purcell said that this number equaled ten trucks. Mr. Ullrich said that he doubted that the project would actually need that much grading but it was a safe figure.

Open Public Hearing

MOTION: By C Wiecha, second by C Mathewson, to close the Public Hearing.

Passed 7-0.

MOTION: By C Torre, second by C Purcell, to approve the Resolution for a Single-Family Design Review at 1647 Ralston Avenue.

Ayes: Gibson, Torre, Wiecha, Purcell, Petersen, Mathewson, Parsons

Chair Parsons announced that this decision can be appealed to City Council within ten days.

F. Public Hearing - 2440 Carlmont Drive: To consider a conceptual development plan, general plan amendment, and zone change to construct 48 townhouses on a five-acre site currently occupied by the Peninsula Jewish Community Center (JCC). On-site parking would be provided for 120 vehicles for the units. The project would include 2.6 acres of landscape area, which includes hillside and riparian area to the north and west of the units. The applicants previously proposed a 52-unit townhouse development, which was reviewed by the Belmont Planning Commission on September 5, 2000 and has been modified to the current proposal. (Appl. No. 00-1005); APN: 045-031-010; Zoned: R-3 CEQA Status: Mitigated Negative Declaration; Applicant: Summerhill Homes; Owner: Peninsula Jewish Community Center.

PP de Melo summarized the Staff Report, recommending approval, and informed the Commission that the applicant and Environmental Consultant were present. He told the Commission that modifications had been made from the suggestions at the last meeting.

C Purcell said that at the last meeting she suggested that staff contact the local school about expanding pool facilities for use by public. She asked if that contact was made. PP de Melo said that staff had not followed through with that issue, but in terms of this opportunity for the pool, the project was at a Conceptual Development Plan stage. He said that there would be two additional opportunities for public input. This would go to City Council and there would be a Detailed Development Plan for this project. Staff had worked with Parks and Recreation Department and they had outlined potential park areas that could be improved based on the expected Park and Recreation fees as well as the pool fee. In terms of whether an additional pool could be constructed, at this time, that research had not followed its due course but there would be opportunities to continue this type of discussion. C Purcell said that she looked at the Negative Declaration and did not see anything specific about Park and Recreation's possible expenditures. It was her understanding that nothing was planned yet. PP de Melo referred to the Parks and Recreation section of the Negative Declaration that pointed out specific facilities that could potentially be improved with the benefit of this additional project.

C Torre asked if comments about color selection and specific plant materials should be addressed here or in the Detailed Development Plan stage. PP de Melo answered that the type of entitlements that the Commissioners would see with the DDP would be the Tree Removal Permit, Design Review, Grading, and Subdivision maps. He said that at that time, she could address her design specific issues.

C Petersen asked staff that if the Commission went forward with the Conceptual approval, could they make it so that nothing happened unless they were certain that there was a location for a pool. PP de Melo said that this issue would be tough because making a finding for pool facilities included identifying a site and funds for a pool. Construction of a pool, changing facilities, security, and land constituted an expensive endeavor. CDD Ewing said that this was really a determination for the City Council to make about the money, but the Commission may recommend the idea to them.

C Purcell said that maintenance and security were always an issue and that was why she was so interested in contacting the local schools who already had pools on site and therefore would be less of an increase in their maintenance. CDD Ewing said that the issue was a project on a piece of property where a pool was going away, and mitigation payment provided one of the most flexible tools to adjust a problem such as money. It depended on the City's priorities and how to spend the payment.

C Torre had a question about the Mitigated Negative Declaration. She understood staff to be saying that there would be a significant impact unless the mitigation was incorporated. She asked if the listed mitigations were coming from staff and if they were standard conditions for this type of habitat area or are they the result of consultation on the issue. PP de Melo allowed the Environmental Consultant to discuss these issues. C Torre specified her concerns about pre-construction surveys on page 20-21 and nesting rafters. raptors.

Environmental Consultant Fritz Gier said that the original document was prepared in August 2001 2001 and the revision was currently before the Commission. In terms of biological resources, he relied on the applicant's biological study provided by the City. He also used the mitigation suggestions from ACR and Associates as the mitigations for the initial study. He said that these were the basis for his recommendations in the initial study. C Torre confirmed with Mr. Gier that he had worked on similar projects. Mr. Gier said that he was familiar with the conditions that she had previously mentioned. C Torre asked Mr. Gier to outline what the conditions usually looked like under a similar type project. Mr. Gier said that there was a pre-construction survey to evaluate which species may be present at the site. In order to remove the animals on the site, there must be a qualified person to do the removal. He said that when a permit was applied for, the conditions were subject to specific permits it would be subject to conditions. He agreed that she could add additional conditions to the project.

C Purcell asked if the reports that from Cal fish Fish and game Game by and the The Army US Core Corps of Engineers were founded based on the applicant's biological study. Mr. Gier said no, that they made their own assessment of the situation but did look at the information provided to them.

C Petersen said that when this project originally came forward, she was absent but since then, she had spoken with neighbors and noticed their hesitancy for this project based on it simply not being a good use for the land. Chair Parsons confirmed that this was the fourth time that this project had been publicly noticed. He said that there had been considerable citizen input throughout the process as was procedure by the City. He added that there had been notices to the neighbors, publishings in the newspaper, and posting

on the City bulletin board. Chair Parsons said that the two options were to approve or deny this project. CDD Ewing said that the way to deal with this issue was to send it to Council with a recommendation. He added that the Council's decision deliberations would also be noticed.

The Development Manager Craig Champion and specialty consultants represented Summerhill Homes and summarized the project. He wanted to point out the changes that had been made since September. The project had been downsized in the number of units. The project had the code-required open guest parking spaces. Every unit now had parking enclosed within the buildings. There were now twelve four-plex structures for the forty-eight units. The detached parking garages were now gone and guest parking was provided at various locations for ease of access to the different buildings. In order to accommodate this, there were slight adjustments to the unit sizes, otherwise there had not been a material change from the architecture presented last September. Units ranged in size from 1,400 square feet with two bedrooms, two and a half bath units to 2,100 square feet with three bedrooms, two and a half bath units.

Mr. Champion referred to the concern about a lack of recreation area on the site. It had been addressed by providing a Playground area next to the pool and trying to open up the area between a couple of buildings for more casual area. This had caused an increase in the setbacks, which would be additional landscaped area. There was a financial aspect of this project, which included an increase in the fees. According to the Traffic Study, the reduction of units had impacted the traffic in this neighborhood. The average daily traffic count of 1,500 trips per day was reduced to 345 trips per day. There was an average of 9.6 units per acre. There was a sloped area in the back, which he has tried to make work with the existing buildings.

Mr. Champion pointed out the public access trail, which effectively opened up the entire area as public access. He mentioned the two projects his had been compared with, which are Bayview and Ross Woods. The raised issue had been in the difference in density between projects. He had provided a photographic survey of the neighborhoods to show significant differences in the neighborhoods. He considered Carlmont Drive a valley. He said that Bayview was like a summit because the site was quite a bit elevated above its neighbors, unlike Summerhill. He said that Ross Woods was similar to Bayview with staggered elevations. He believed the neighborhood feeling to be very different in the three neighborhoods and only considering the densities did not take into account the differences in the neighborhoods. Because of the grade differences, the commercial site below was not seen.

C Torre asked if the standard for the drainpipe was a one hundred-year flood. CDD Ewing answered yes. C Torre then asked what the expected market value for the units was going to be. Development Manager Champion answered that the cost would be between the low five hundred thousand range to the low six hundred thousand range.

Open Public Hearing

Lee Maus-McNutt, 2411 Read Avenue, said that besides being a resident, she was also a board member at the PJCC. She was present to express her support for the project. She also wanted to give context of what had been happening and why the PJCC was moving. She said that at their new facility, they would be upgrading from 30,000 square feet to 140,000 square feet. She felt that this move would greatly serve the community. She said that PJCC would be moving whether or not Summerhill Homes built on the property, and either way, the pool would be destroyed. She was interested in having the additional housing in the community. She thought that the plans were attractive and livable.

MOTION: By C Purcell, second by C Wiecha, to close the Public Hearing.

Passed 7-0.

C Purcell asked if she needed to recuse herself from voting because she was a member of the PJCC. CDD Ewing stated that because she paid a fee for membership, she did not need to do so. His reasoning was that she did not have any direct financial interest.

C Wiecha said that she appreciated the revisions. She said that since the JCC had decided to look for a new owner for the property, it was hard for the Commission to dictate what the use will be at this point. She felt that the density was down to a level she was comfortable with. Her remaining concern was about mitigation monitoring. She said that there were a lot of measures outlined, specifically dealing with endangered

species. At the Detailed Development Plan, she asked to see a Mitigation Monitoring Plan. Besides that, she thought that it was a great benefit to Belmont to get the Park and Recreation fees and would reserve her other comments until the Detailed Development phase.

C Gibson stated that he was new to the project. He admitted to liking the architecture.

C Purcell said that she would like to reserve most of her comments for the Detailed Development Plan regarding landscaping and trees in particular. She had the concern about archeological finds and that it was left up to the developer and construction people, who obviously had a vested interest. She too was concerned about nesting sites and biological resources. She feels that it was a temptation to the developers and construction force to be responsible for something that was in their direct disinterest. She would like to add that she appreciated the reduction in density and the work that had been done to bring this development down to what she feels was much more appropriate to the site and fitting for Belmont. She thought that this was the best the Commission could get. She added that she wanted to see a condition about recycling the demolished structures.

C Mathewson said he appreciated the changes. He agreed with C Wiecha about the Mitigation Monitoring program and believed that staff needed to be involved in that process. He hoped that the newfound stability of staff would allow this. He wanted to see this at forty to forty-four units because forty-eight was too dense. He appreciated the added kids play area.

C Torre believed that the applicant had done a considerable amount of work to redesign the project in keeping with the feedback from the Commission. She thought that the density was acceptable as it now stands and she could approve it. She thought that this was not an inappropriate place to have this kind of a project. She agreed with C Wiecha about the Mitigation Monitoring program. She would be particularly interested in how the conditions were taken care of throughout the process.

Chair Parsons added that he would have liked to see a lower density but considering what was around the area, this was a reasonable approach.

MOTION: By C Purcell, second by C Wiecha, to recommend to the City Council adoption of the Mitigated Negative Declaration of Environmental Significance for a forty-eight unit residential townhouse development for Summerhill Homes at 2440 Carlmont Drive, with the condition of recycling the demolished structures.

Ayes: Parsons, Gibson, Torre, Wiecha, Purcell Noes: Mathewson, Petersen

MOTION: By C Wiecha, second by C Purcell, to recommend to the City Council approval of a General Plan Amendment to change the designation of 2440 Carlmont Drive from Institution to Medium-Density Residential.

Ayes: Parsons, Gibson, Torre, Wiecha, Purcell

Noes: Mathewson, Petersen

MOTION: By C Wiecha, second by C Purcell, to recommend to the City Council approval of a Rezoning and Conceptual Development Plan for construction of forty-eight unit residential townhouse development for Summerhill Homes at 2440 Carlmont Drive.

Ayes: Parson, Gibson, Torre, Wiecha, Purcell

Noes: Mathewson, Petersen

Chair Parsons announced that this decision can be appealed to City Council within ten days. CDD Ewing added that it would go to Council as part of the PC review process.

G. Public Hearing - Amendment to Zoning Ordinance: To consider an amendment to the Belmont Zoning Ordinance regarding standards for residential parking. The amendment will consider increasing the number of required parking spaces from the current standard of two spaces in a garage. (Appl No. 2001-0030); CEQA Status: Exempt (CEQA Guidelines Section 15308); Applicant: City of Belmont.

H. Public Hearing - Amendment to Zoning Ordinance: To consider an amendment to the Belmont Zoning Ordinance regarding the Auto Sales and similar uses in the C-3 zone district. The amendment will consider requiring a conditional use permit for such uses, which are presently allowed by right; CEQA Status: Exempt (CEQA Guidelines Section 15308); Applicant: City of Belmont.

MOTION: By Chair Parsons, second by C Petersen, to continue items 7G and 7H to the April 3, 2001 Planning Commission meeting.

Ayes: Torre, Wiecha, Purcell, Petersen, Gibson, Mathewson, Parsons

NEW BUSINESS

Planners Institute Seminar - Monterey - March 21-23, 2001. Chair Parsons reviewed the agenda and what could be expected. He wanted all the Commissioners to meet for dinner. CA Savaree was asked what could be talked about since most of the Commissioners were going to the Conference. The Attorney General says that conferences, which are open to the public, are exempted from the act as long as the Commissioners do not discuss amongst themselves other than as a regularly scheduled program. She said that this was what the Commissioners were allowed to discuss when away from the conference itself. She said that she has drafted a memo for all the Commission and Council members in regard to some new FPPC regulations that had come out. She believed that some questions would arise. One of the biggest changes was that now if someone owned a property and he or she had an application, which was more than five hundred feet away from his or her property, the regulations had changed. She suggested that if there were questions about the memo, then staff should place the topic on an upcoming agenda, and she could answer any questions. CDD Ewing said to the Commission that they should not plan on talking about any particular projects while on at the conference and try to focus on the items being discussed.

C Torre had two requests to staff that were new issues. She found herself calling staff to ask questions about a project when she wondered how a specific compromise had been reached. She said that she might call less frequently if compromises or major decisions were outlined in the Staff Report. She said that she would appreciate it if any of the mass amounts of paperwork could be given to the Commissioners earlier. CDD Ewing realized that this was a common sentiment and said that he would look into how he could accomplish this request. He said that at the very least, he would work on getting the agendas to the Commissioners earlier. CDD Ewing added that the agenda was posted on the Internet. PP de Melo added that two weeks before a meeting, the City must provide the agenda to the newspaper of record. He said that the agenda could be emailed to the Commission that same day.

REPORTS, STUDIES, UPDATES AND COMMENTS: NONE

ADJOURNMENT:

The meeting adjourned at 11:46 p.m. to a regular meeting on Tuesday, April 3, 2001 at Twin Pines Senior and Community Center.

Craig A. Ewing, AICP

Planning Commission Secretary

*Audiotapes of Planning Commission Meetings are available for review
in the Community Development Department.*

Please call (650) 595-7416 to schedule an appointment.